IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.43766 of 2008

1. RAJENDRA SINGH,
Son of Haricharan Singh
2. LALTI DEVI,
Wife of Rajendra Singh
3. VIJAY SINGH,
Son of Rajendra Singh
4. MALA DEVI,
Wife of Vijay Singh
All resident of Village Khaddi Lodipur,
P.S. Telhara, District Nalanda, presently
residing at Joshi Colony, Lakarkhanda,
B.S. City, P.S. B.S. City, District Bokaro
--------Petitioners

Versus

STATE OF BIHAR

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2. 12.11.2008 Heard the learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in connection with Ekangar Sarai (Telhara) P.S. Case No.14/2001 for the alleged offences registered under sections 304B and 201/34 of the Indian Penal Code.

The petitioners are the father-in-law, mother-in-law, brother-in-law and Gotani of the deceased.

The allegation is that the petitioners along with the co-accused-husband of the deceased used to make the demand of dowry. Since it was not fulfilled, the daughter of the informant was found dead, but how she died, the informant could not know and as such the case was lodged.

The learned counsel for the petitioners submits that in the said case the husband of the deceased was put to stand trial vide Sessions Trial No.912 of 2005 that resulted in acquittal vide judgment dated 30th of August, 2006, as contained in Annexure 2, for want of

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evidence since the informant and his other family members deposed that the daughter of the informant died due to the ailment of jaundice and further stated that his daughter had never made complaint against her in-laws. The learned counsel submits that the present case was lodged without verifying the true facts, which would appear from the deposition of the informant in the said sessions trial, as contained in Annexure 3 to the petition, wherein he has deposed that the case was lodged by him on account of wrong information given to him.

The learned APP appearing on behalf of the State submits that the allegation of demand has been made against these petitioners. However, no details have been alleged in the F.I.R. with regard to the death of the daughter of the informant.

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Considering the facts and circumstances of the case, let petitioners no.1 to 4 above named, in the event of their arrest or surrender in connection with Ekangar Sarai (Telhara) P.S. Case No.14/2001 within a period of four weeks from today, be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate Ist Class, Hilsa, in connection with the aforesaid case, on the conditions mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

PNM **(Shailesh Kumar Sinha, J.)**